REMARKS

In the first Office Action mailed December 7, 2005 then pending Claims 1, 3-5, 16-18, 21, 23-26 and 28 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Kozdon et al (US Patent No. 6,456,601 B1) ("Kozdon '601"). In this same Office Action, the Examiner expressed allowance of claims 6 through 10. More specifically, with respect to the heading Allowably Subject Matter, the Examiner stated:

> Claims 6-10 are allowed.
>
> The following is an examiner's statement of reasons for allowance:
>
> The prior art [Kozdon '601] does not teach or fairly suggest that the announcement server <u>continuously broadcasting selected announcements to an address in a memory</u>; announcement server communicating the plurality of addresses to the proxy; and the proxy communicates the address, associated with continuously broadcasted selected announcements, to the caller device, as specified in independent claim 6.
>
> December 7, 2005 Office Action (emphasis added)

Accordingly, Applicants amended the independent claims 1, 11, 16, 19, 20, 21, 26, and 27 to expressly recite such allowable subject matter: "continuously broadcasting selected announcements to an address in a memory." For example, independent claims 1 and 11 were clarified to expressly recite a method of multicasting announcements in a communication network comprising the step of "<u>continuously</u> broadcasting the announcement on the address" and a method of multicasting announcements comprising the step of "locating the Real Time Protocol destination address and obtaining a continuously broadcasted announcement from the Real Time Protocol destination address," respectively. The remaining amended independent claims 16, 19, 20, 21, 26, and 27 were clarified to recite similar limitations.

Now, in the most recent Office Action mailed August 22, 2006, the Examiner has reversed course. That is, it is now the Examiner's position that Kozdon '601 does indeed teach

an announcement server <u>continuously broadcasting selected announcements</u> to an address in a memory.

More specifically, in the presently pending Office Action, claims 1-9 and 11-27 are currently pending. Claims 1-9, 11-15, 19-20, 26 and 27 are objected to due to various alleged informalities. Claims 6-9 and 16-18 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for filing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-9 and 16-27 are rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Kozdon '601. Claims 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Gallant et al (U.S. Publication No. 2002/0136206) ("Gallant '206").

Applicants respectively traverse. After a careful review of the Office Action, the cited references, and Applicants clarifications to the pending claims, Applicants respectively request reconsideration in view of the following remarks.

I.   CLAIM OBJECTIONS

Claims 1-9, 11-15, 19-20, 26 and 27 are objected to due to various informalities. As suggested by the Examiner, these claims have been clarified. Applicants respectively request that these objections be withdrawn.

II.   CLAIM REJECTIONS UNDER 35 U.S.C. 112

Claims 6-9 and 16-18 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. These claims have been clarified. Applicants respectively request that these objections be withdrawn.

III.   CLAIM REJECTIONS UNDER 35 U.S.C. 102(e)

Claims 1-9 and 16-27 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Kozdon '601. More specifically, it is <u>now</u> the Examiner's position that Kozdon '601 teaches or suggests an announcement server <u>continuously broadcasting selected announcements</u> to an address in a memory. Applicants' respectively traverse.

A.   Applicants' Presently Claimed Invention

Applicants' presently claimed invention is generally directed to multicasting information in networks. More specifically, the presently claimed invention is directed to using servers to multicast announcements. Applicants' Specification p. 2 lines 3-4.

As Applicants' explain with respect to Figure 4, one example of an announcement server is described. An announcement server 400 includes an initiate announcements module 401, a broadcast announcements module 402, a determine announcement address module 404, and a communicate announcement address module 406. Applicants' Specification p. 20 line 22 – p. 21 line 2.

The determine announcement address module 404 receives a network parameters lead 405 and supplies a lead 409 to the communicate announcement address module 406. The communicate announcement address module 406 supplies a lead 407 to a proxy or other network device. The initiate announcements module 401 is coupled to the broadcast announcements module 402.

The initiate announcements module 401 determines when the announcements will be played to an address. This information is communicated to the broadcast announcements module 402 via the lead 409. In one example, announcements may be played continuously. However, other timing examples are possible. Applicants' Specification p. 21 lines 3 – 11.

The broadcast announcements module 403 broadcasts announcements to a memory location or memory locations via the lead 403. The memory locations located within the Announcement Server and server as bindings between the Announcement Server and the announcement available to external entities via multi-cast addresses. For example, the memory locations may map an audio stream within the announcement server to RTP streams flowing out of the announcement server. Announcements may be in the form of any type of information. For example, the announcements may be ring tones, call-routing tones, call-hold tones, invalid destination tones, temporary unavailable tones, number-is-forwarded tones, and number is posted tones. Other examples of announcements are possible. The addresses are received via a lead 411 from the determine announcement address module 404. Applicants' Specification p. 21 lines 12 - 23.

The determine announcement address module determines the address or addresses whereby announcements are played. These addresses are communicated to the broadcast announcements module 402 and the communicate announcement address module 406. A network parameters lead 405 may communicate information that may affect the determination of the address. For example, network usage or memory usage may affect which memory location is used. In other examples, the address or addresses may be determined randomly.

The communicate announcement address module 406 may communicate the addresses determined by the determine announcement address module 404 to any entity that needs these addresses. For instance, a proxy may use these addresses. Applicants' Specification p. 22 lines 1 - 10.

Applicants' presently pending independent claims are generally directed to such a broadcast server that determines when the announcements will be played to an address.

Applicants' Specification p. 21 lines 3 – 11. . For example, independent claim 1 has been clarified to expressly recite "a method of multicasting announcements in a communication network, the method comprising the steps of "establishing an address in a memory," "forming an announcement," and "determining when the announcement will be played to the address." The remaining independent claims recite similar limitations.

B.   Neither Kodzon '601 Nor Gallant '206 Teach or
      Suggest Applicants' Presently Claimed Invention

Kodzon '601 does not teach or suggest "a method of multicasting announcements in a communication network, the method comprising" including the steps of "establishing an address in a memory," "forming an announcement," and "determining when the announcement will be played to the address." Rather, Kodzon '601 is generally directed to audible telecommunication signaling, and more specifically, to a method and a system for providing call progress tones and audible announcement in a distributed, packetized network environment. Kodzon '601, Col. 1 lines 7 – 11.

Citing Figure 3 and step 46 of Kodzon '601, the Examiner contends that Kodzon '601 discloses the step of "continuously broadcasting the announcement on the address ("music-on-hold, announcements and progress tones are continuously broadcasted to the addresses") August 22, 2006 Office Action p. 4.

Applicants' respectively traverse. Figure 3 merely identifies a server 10 having certain process steps, one of which (step 46) is entitled "Associate Signal With Addresses." According to Kodzon '601, this process step 46 merely mentions that "the stored tones and deliveries are associated with multicast addresses" and that this may be performed "by identifying the locations in memory space at which the call progress tones and deliveries are stored within the multicast

server 10 or had disk locations of the music source." Kodzon '601 Col. 6 lines 31 – 37. There is no mention or suggestion of "continuously broadcasting the announcement on the address."

In any event, Applicants' have further clarified the pending independent claims to recite an Announcement Server for "determining when the announcement will be played to the address. The server 10 disclosed in Kodzon '601 does not teach or suggest such a process step.

Gallant '206 fails for similar reasons. Gallant '206 appears generally directed to a communications system and more particularly to determining addresses for establishing communications sessions. Gallant '206 ¶ [0002]. According to Gallant '206, Figure 1 shows a diagram of a data communications system capable of supporting voice services, in accordance with an exemplary embodiment of the present invention. The communications system 100 comprises a packet data transport network 101, a DAL gateway 105, a location server 115, an OSS 121, a Proxy Server 113, a SIP Conferencing Platform 127, a Voice Mail System 129, an Enterprise Gateway 103, a Network Gateway 107. Gallant '206 [0050], Figure 1. What Gallant 206 fails to disclose, however, is a broadcast server, let alone a broadcast server for "determining when [an] announcement will be played to [an] address."

IV. SUMMARY

Applicants respectfully submit that, in view of the remarks above, the present application,

including claims 1-9 and 11-27, is in condition for allowance and solicit action to that end.

If there are any matters that may be resolved or clarified through a telephone interview,

the Examiner is respectfully requested to contact Applicants' undersigned representative at (312)

913-0001.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: February 20, 2007   By: _____

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